

Remarks:

Claims 26-31 stand rejected under 35 USC 103(a) over Frank.

Claim 26 has been amended to better differentiate the instant invention from Frank. Claims 27-29 depend on Claim 26 and should thus be allowable.

Claims 30 and 31 stand rejected under 35 USC 103(a) over Frank.

These rejections are respectfully traversed.

Frank teaches small eye “cups” for protection of the eyes while in a tanning salon. The eye cups are not even partially transparent. Col 2 lines 49-55 clearly state that the goal is complete light blockage. Frank does not teach a lens element. Frank does not teach a frame element. Frank does not teach a bow element but rather a head strap. It is hard to imagine a reference further from the instant invention.

The examiner points out that Frank addresses the “problem of conventional sunglasses” in that they “create untanned lines or streaks on the wearer’s face...” Frank does not solve this problem but merely mentions it in his “Background of the Invention.” Since the Frank case was issued in 1979 this demonstrates the “long felt need” for the instant invention.

New claims 32-34 have been added to further clarify the instant invention.

In view of all of the foregoing, it is respectfully submitted that all of the claims, original and new, patentably distinguish over the cited reference, whether taken singly or in combination. Reexamination and reconsideration of the claims, withdrawal of the rejections, and allowance of all the pending claims are respectfully requested.

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Respectfully submitted,

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Corrected in keeping with Revised 37 CFR 1.121 Revised Amendment Practice.



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